

Appln. Serial No. 09/748,686  
Reply to Final Office Action mailed on August 23, 2005

**REMARKS**

Claims 1-3, 5-7, 9-18, 20, 21, 23-33 and 35-49 are pending in the application, with claims 1, 9, 20, 25, 33, 43, 45 and 47 being the independent claims. Claims 1, 2, 9, 11, 20, 25, 33, 43, 45 and 47 are sought to be amended. Entry and consideration of this amendment is respectfully requested. No new matter is believed to have been introduced by this amendment.

Applicants have made the above Amendment to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections.

***Objection to claim 2***

Claim 2 is objected to for informalities. Applicants have amended claim 2 as suggested by the Examiner and respectfully request that the objection to claim 2 be reconsidered and withdrawn.

***Rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a)***

Claims 1-3, 5-7, 9-13, 20, 21, 33 and 35-49 are rejected under 35 U.S.C. § 102(b) as being allegedly unpatentable over the ATVEF specification. Claims 25-32 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over the U.S. Patent Application 2002/0059644 (hereinafter referred to as Andrade) in view of the ATVEF specification. Claims 14, 23 and 24 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable

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over the ATVEF specification. Claims 15-18 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over the ATVEF specification in view of U.S. Patent Application 2002/0007493 (hereinafter referred to as Butler). The Examiner states via Official Notice that it was well known in the art at the time of invention for a plurality of versions of software to be created, such as three or more, as new additions and updates are made, for the typical benefit of ensuring that provided software content is as up-to-date and current as possible. The Examiner states via Official Notice that it was well known in the art at the time of invention to return to previous content after an interruption, such as in instant replay video, by returning to the point where the content was interrupted for the typical benefit of either ensuring that the viewer doesn't miss any of their desired content. The Examiner states via Official Notice that it was well known in the art at the time of invention to return to previous content after an interruption, such as in instant replay video, by returning to the content at the current point in time for the typical benefit of ensuring that only the current relevant content is displayed to the user. Applicant respectfully traverses the rejections to pending claims 1-3, 5-7, 9-18, 20, 21, 23-33 and 35-49 since the ATVEF specification, Andrade, Butler and the Official Notices, either taken alone or in combination, do not teach or suggest each element of independent claims 1, 9, 20, 25, 33, 43, 45 and 47 (and thus their dependent claims 2, 3, 5-7, 10-19, 21, 23, 24, 26-32, 35-42, 44, 46, 48 and 49) for at least the following reasons.

Independent claims 1, 9, 20, 25, 33, 43, 45 and 47 have been amended to include a similar feature of causing the receiver to accept a second content item that is not part of the first announcement. According to the ATVEF specification, receivers are not required to pay attention to subsequent incoming announcements, and are generally free to ignore them. For

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example, the present invention provides for a way for the sender to "hijack" or preempt the ATVEF portion of a display, such as to insert a commercial announcement or the like. The ATVEF specification, Andrade, Butler and/or the Office Notices, either taken alone or in combination, do not appear to teach or suggest this feature. Therefore, for at least this reason, independent claims 1, 9, 20, 25, 33, 43, 45 and 47 (and their dependent claims 2, 3, 5-7, 10-18, 21, 23, 24, 26-32, 35-42, 44, 46, 48 and 49) are patentable over the ATVEF specification, Andrade, Butler and/or the Official Notices, either taken alone or in combination. Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) be reconsidered and withdrawn.

**INVITATION FOR A TELEPHONE INTERVIEW**

The Examiner is invited to call the undersigned, Molly A. McCall, at (703) 633-3311 if there remains any issue with allowance of the case.

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### CONCLUSION

Applicants respectfully submit that all of the stated grounds of objection and rejection have been properly traversed accommodated or rendered moot. Applicants believe that a full and complete response has been made to the outstanding Office Action. Thus, Applicants believe that the present application is in condition for allowance, and as such, Applicants respectfully request reconsideration and withdrawal of the outstanding objections and rejections, and allowance of this application.


Respectfully submitted,

Intel Corporation

Dated: October 25, 2005

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:	
Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450	
On: <u>October 25, 2005</u>	
Signature: Katherine Jennings	